

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AARON ROMERO,

Plaintiff,

V.

VITRO FLAT GLASS, LLC,

Defendant.

Case No. 1:20-cv-01573-NONE-SAB

**ORDER GRANTING STIPULATED
REQUEST TO STAY ACTION**

(ECF No. 8)

On October 5, 2020, Aaron Romero (“Plaintiff”), on behalf of himself and all others similarly situated, filed this action in the Superior Court of California, Fresno County. (ECF No. 1.) On November 6, 2020, Vitro Flat Glass, LLC (“Defendant”) removed the action to the Superior Court of Fresno County. (ECF No. 1.) On November 9, 2020, an order issued setting the mandatory scheduling conference in this action for January 8, 2021. (ECF No. 2.) Defendant filed an answer on November 17, 2020. (ECF No. 5.) On December 15, 2020, the Court granted Plaintiff’s request to continue the mandatory scheduling conference to August 17, 2021 so the parties could participate in mediation. (ECF No. 7.)

On August 5, 2021, the parties filed a notice of settlement and stipulated request to stay this action. (ECF No. 8.) The parties proffer that after the scheduling conference was continued, Plaintiff filed a case against Defendant alleging violations of the Private Attorneys General Act of 2004 (“PAGA”) in the California Superior Court for Kern County (Case No. BCV-21-

1 101357), where it is currently pending. (Id. at 2.) The underlying allegations to the PAGA case
2 are generally the same as the allegations made in the case pending in and removed to this Court.
3 (Id.) The Parties recently attended a global mediation of both cases with which was successful.
4 (Id.) The Parties executed a Memorandum of Understanding and are currently drafting and
5 negotiating a long-form class action settlement agreement to resolve both this case and the
6 PAGA action. (Id.) The Parties will pursue settlement approval of the instant action and the
7 PAGA action in the Superior Court where the companion PAGA action is currently pending.
8 (Id.)

9 The Parties request that the Court stay this case pending settlement approval and vacate
10 all dates currently set. (Id. at 3.) Plaintiff will file a request for dismissal of this action within
11 two weeks of the earlier of: (i) the Superior Court entering judgment after final approval of the
12 class action settlement, if there are no objectors, (ii) the date all objector(s) withdraw(s) their
13 objection after final approval is granted, or (iii) the date any appeal initiated by any objector(s)
14 finally terminates without a change in the court's judgment granting final approval. (Id.)

15 The Court finds good cause to vacate all pending matters and stay this action. While the
16 parties request to set a settlement conference in six months, the Court will instead have the
17 parties file a joint status report at that time if no request for dismissal has been filed.

18 Pursuant to the stipulation of the parties, IT IS HEREBY ORDERED that:

- 19 1. All pending matters and dates are VACATED;
20 2. This matter is STAYED until February 17, 2022; and
21 3. The parties shall file a joint status report on or before February 17, 2022.

22 IT IS SO ORDERED.

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24 Dated: August 6, 2021



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UNITED STATES MAGISTRATE JUDGE